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Skagit County Auditor

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Skagit County Planning and Permit Center

**SKAGIT COUNTY PLANNING AND PERMIT CENTER  
FINDINGS OF FACT**

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE DECISION PL02-0056

**APPLICANT:** ERWIN AND LADONNA HERMAN

**ADDRESS:** 22750 SW 65<sup>TH</sup> AVE  
TUALATIN, OR. 97062

**PROJECT LOCATION:** Located at 1219 Pacific Rim Drive, Bow, within a portion of Section 8, Township 36 North, Range 3 East, W.M., Skagit County, Washington.

**PROJECT DESCRIPTION:** Administrative Decision request PL02-0056 for a reduction in the setback requirement to allow for the placement of a single family residence to be located approximately 65 feet off of the north property line. The proposed structure will be able to meet the setback requirements from the remaining property lines. The project proposal is to locate a single-family residence on the most logical location on the parcel without impacting the critical areas. Skagit County Code sections 14.16.420(5)(a) outlines a minimum setback requirement of 100 feet on all sides.

**ASSESSOR'S ACCOUNT NUMBER:** 360308-2-001-0101, P47702

**PROPERTY ID NUMBER:** 360338-2-001-0300, P117457

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is located within a Secondary Forest Natural Resource Lands zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000.

**STAFF FINDINGS:** Pursuant to 14.16.810(4), the Administrative Official may reduce the required front, side or rear setbacks where topography or critical areas or the lot's size and configuration impact the reasonable development of the property. To reduce the front or rear setback, the Administrative Official must determine that the public health, safety and welfare will be maintained. Consultation with the Public Works Department concerning traffic safety may be solicited during this analysis.

1. The subject property is approximately twenty (20) acres in size located in the Pacific Rim development on Chuckanut Mountain, northeast of Chuckanut Drive near Dogfish Point. The access to the site is off of Pacific Rim Drive. The subject property is irregular in shape, as are the surrounding properties. The surrounding parcels are also 20 acres in size and the lots were all configured with irregular shapes to allow for possible building locations on each lot due to the topography of the area and the numerous steep slopes throughout the hillside. There are no existing structures on the subject parcel however there is an existing electrical transformer box on site. The applicant has indicated that even though the parcel is 20 acres in size, the proposed residential location is the only relatively level ground on the parcel that is large enough to accommodate a house. Other possible sites were explored, however, those sites presented more severe topographical or critical area constraints. The proposed residence will utilize an individual drilled well and an on-site septic system.
2. The applicant is proposing to construct a new single family residence along the western portion of the parcel and locate the structure approximately 65 feet off of the north property line. The proposed structure will be located approximately 300 feet off of the south property line, approximately 1200 feet off of the east property line and approximately 400 feet off of the west property line. The applicant is requesting the administrative variance for the construction a residence not able to meet the required setback of 100 feet on all sides within the Secondary Forest Natural Resource designated area. The parcel is located within a Secondary Forest Natural Resource zoning/comprehensive plan designated area as per Skagit County Code Section 14.16. 420(5)(a)(I) which states that the minimum setback requirement for primary structures is 100 feet on all sides.
3. A letter of completeness was issued on February 4, 2002. A Notice of Development was published and posted on the property on February 7, 2002. All property owners within 300 feet of the property were sent the Notice of Development. No comment letters were received for or against the proposal.



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4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that critical areas review had previously taken place with (#PL00-0699). Critical Areas approved the proposal with the requirement that the recommendations included in the geotechnical report, prepared by Western Geotech, dated October 16, 2000, are included as conditions of building permit approval.
5. The proposal was reviewed by Public Works. Public Works had no comments or concerns with the proposal.
6. Staff finds that the proposed reduction in setbacks are reasonable due to the existing topography, the existing lot size, and the location of the critical areas in the immediate vicinity.
7. Staff finds that the requested setbacks would not create any problems with regard to the maintenance of public health, safety or welfare. Additionally, no traffic safety concerns were identified with the proposal.

**Decision:**

The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building permit for the proposed accessory structure shall be issued in accordance with the approved reduction in setback as requested.
3. The recommendations outlined within the geotechnical report prepared by Western GeoTech, dated October 16, 2000, shall be included as conditions of Building permit approval.


  
Brandon Black, Associate Planner  
FOR  
Tom Karsh, Director

Date of preliminary approval: March 1, 2002

Date of final approval: 3-15-02

Prepared by: BB

The applicant and/or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110(7). Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Permit Center within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.

  
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